

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

FLORENCE T. NAKAKUNI #2286  
Chief, Drug/Organized Crime Section

THOMAS J. BRADY #4472  
Assistant U.S. Attorney  
Room 6-100, PJKK Federal Building  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850  
Facsimile: (808) 541-2958  
[tom.brad@usdoj.gov](mailto:tom.brad@usdoj.gov)

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00098-01 HG
	)	
Plaintiff,	)	STIPULATION TO CONTINUE TRIAL
	)	DATE AND EXCLUDING TIME UNDER
vs.	)	SPEEDY TRIAL ACT; ORDER
	)	
RODNEY ASUEGA, (01),	)	OLD TRIAL DATE: 05/16/06
	)	NEW TRIAL DATE: 12/05/06
Defendant.	)	
_____	)	

STIPULATION TO CONTINUE TRIAL  
DATE AND EXCLUDING TIME UNDER SPEEDY TRIAL ACT AND ORDER

The United States of America and Defendant RODNEY ASUEGA, by and through their attorneys, hereby stipulate that the trial setting in the above-captioned case, previously set for May 16, 2006, before the Honorable Judge Helen Gillmor be continued to December 5, 2006. This Stipulation is entered into between

the parties to ensure continuity of counsel for Defendant ASUEGA and in order to prepare this matter for trial as well as accommodate Defendant ASUEGA's health and medical issues.

The parties agree and ask the Court to find that the ends of justice are best served by granting a continuance in this case in order to allow counsel to adequately prepare for trial as well as accommodate Defendant ASUEGA's health and medical issues. The period of time from May 16, 2006, to December 5, 2006, constitutes a period of excludable delay in the computation of speedy trial time, pursuant to Title 18, United States Code, Sections 3161(h)(8) and (h)(8)(B)(IV).

DATED: May 3, 2006, at Honolulu, Hawaii.

Respectfully submitted,

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Thomas J. Brady  
THOMAS J. BRADY  
Assistant U.S. Attorney

/s/ James Bustamante  
JAMES BUSTAMANTE  
Attorney for Rodney Asuega

**O R D E R**

The Court approves the Stipulation of the parties and hereby orders that the trial previously set to commence on May 16, 2006, is hereby continued to December 5, 2006. The final pretrial conference is set for November 6, 2006, at 10:00 a.m. before Magistrate Judge Kevin S.C. Chang. The final pretrial conference before the Honorable Judge Helen Gillmor is set for November 22, 2006, at 8:30 a.m. Pretrial motions are due by October 24, 2006, followed by the Government's response due by November 7, 2006. To ensure continuity of counsel and preparation for trial, as well as to accommodate Defendant ASUEGA's health related issues, the Court finds that the ends of justice are served and by granting such a continuance outweighs the Defendant's and the public's interest in a speedy trial. The Court finds the time between May 16, 2006, and December 5, 2006, to be excludable from computation of the Speedy Trial Act under Title 18, United States Code, Sections 3161(h)(8)(A) and (B)(IV).

SO ORDERED at Honolulu, Hawaii, May 15, 2006.



**/s/ Helen Gillmor**  
Chief United States District Judge

United States vs. Rodney Asuega; Cr. No. 02-00098-01 HG  
Stipulation to Continue Trial and Excluding Time Under Speedy  
Trial Act; Order